

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8299 of 1996

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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MITHABHAI DHARAMSIBHAI PATEL

Versus

STATE OF GUJARAT

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Appearance:

MR YS LAKHANI for Petitioner

Mr.T.H.Sompura,AGP. for Respondent No. 1, 2

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CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 24/12/96

ORAL JUDGEMENT

Heard learned Advocates for the parties.

Rule returnable today.

Learned Assistant Government Pleader Mr.Sompura waives service of Rule on behalf of the respondents.

The petitioner is the owner of the land bearing survey No.94 Paiki admeasuring 11 Acres and 13 Gunthas situated at village Raiya within the Rajkot Urban

Agglomeration. The said lands being agriculture lands were exempted by an order made under section 20 of the Act. The petitioner has been served with a notice issued by the competent authority on 30th August 1996 indicating that the exemption granted to the petitioner as aforesaid has been cancelled. Pursuant to the said notice the petitioner on 16th September 1996 made an application to the Government for supplying copy of the order under which exemption granted earlier has been withdrawn. Same, however, has not been supplied as yet.

On the facts and in the circumstances of the case, respondent No.1 is directed to supply copy of the order made by it in the month of January, 1996 cancelling exemption, granted to the petitioner in respect of the above-referred land, referred to in the notice Annexure-A to the petition, within a period of two weeks from the date of the receipt of copy of this order.

Petition is allowed to the aforesaid extent. Rule is made absolute accordingly. Ad-interim order made on 30th October, 1996, shall continue to operate till 31-1-97.

Direct service is permitted.

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